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25X1A9a [REDACTED] But not as a disabled person.

MR. MELOON: So what do we achieve by that? That is what I'm trying to find out.

25X1A9a [REDACTED] On the other hand, George, the law does require where a disability is not permanent an examination must be made annually.

MR. MELOON: Under Civil Service the Commission doesn't bother to look at anybody if they're within two years of being 60, and they wouldn't think of calling somebody back because then they would be stuck with trying to find a job for him somewhere.

25X1A9a [REDACTED] How old is this man?

[REDACTED] He was born in 1918 -- so he's 51.

MR. MELOON: And he's had some 30-odd years of service.

Well, I really don't care what the Board does here -- it doesn't make a bit of difference to me.

25X1A9a [REDACTED] To go back to what [REDACTED] said, the 25X1A9a doctors have to rule whether it's permanent or only temporary, and once they rule it's only temporary then they are obligated to look at him again in a year.

MR. MELOON: But they haven't ruled that it IS temporary, they've ruled that it might be temporary.

25X1A9a [REDACTED] And you say, George, that under Civil Service if a fellow is 58 they forget about it--

MR. MELOON: I think the rule is if he's within two years of being 60 they don't call him back -- because they don't want to be confronted with trying to find a job for the guy. Where are they going to find an appointment officer who will pick up a guy at 60 years of age?

Well, you only bring these things to our attention -- only for our information. The only reason I know about this one is because he happens to be one of my employees. But we sit around here breaking

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our necks trying to give people a break (when they retire), and then we turn around and with a guy that is qualified for disability and for optional retirement on his own volition and say we're going to call him back at the end of a year and reexamine him -- and then maybe the Medics will declare him eligible for reemployment. Well, I don't have a job for him back here.

25X1A9a [REDACTED] George, we don't have to take him back. And I don't know if we have an option here -- if it's only for the Internal Revenue aspect of it, is this man truly a disabled retiree or isn't he? But I'll sure check and see if we have some sort of leeway when a man is say 58 -- because we do hit the Fund, you know, for travel back and forth, and medical reexamination and so on.

25X1A9a [REDACTED] I realize this is only a small part of George's point, but if the doctors agree to it I see no reason why this man couldn't be

25X1A6a reexamined in [REDACTED] I realize that is a small part of the problem here.

MR. MELOON: I could see it if he were 29 or 30 years old and had another 20 years to go. But in this case if the Medics declare him eligible then all he has to do is submit another application for retirement -- and he will have used up all of his sick leave -- and you are going to have to retire him anyway under the Agency's bill -- so I think we're splitting hairs here on this kind of a case. And I'm not anxious to get rid of this man but since I am 40 over ceiling I'd sure hate to have you call me next year and ask me to put him back on my rolls.

25X1A9a [REDACTED] Now, I have another case - just one little detail I'd like to mention. I had a case brought to my attention where the man's birthday is the 28th of July -- Let's say he becomes age 60 on the 28th of July. Ordinarily we would retire him the 31st of July - the end of the month. Now, when we tell him he is to go out on the 31st of July and we find he has x years, y months, and 19 days of service, and he says - "Gee, if I had 11 more days I would have another one-twelfth of two per cent toward my annuity." So I would like to go back to what I understand we did in the

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old days, and that is to give a man an election to either go out the end of the month of his birthday or give him the rounded off figure if it gives him another month. Now I'm not talking about the CIA System at all -- this is under the Civil Service System. But when you've got a fellow who says he has 19 days that are wasted because Civil Service doesn't give credit for half a month, and he wants the other 11 days, we will round it off -- our Retirement staff can do this in the normal processing of people. It's more a psychological thing than anything else -- because otherwise they feel they're losing those 19 days. So in this particular case we're giving him the 11 days -- but once you do it for him then you feel like you should really give it to everybody without their asking for it.

Well, we have put [REDACTED] back on the agenda. All we have decided so far is that he has domestic qualifying service. Now that he has domestic qualifying service we just want to designate him as a participant in the System. And I don't see any choice here. So if there are

25X1A9a no nays, [REDACTED] is hereby designated as a participant in the CIA System.

We have two employees who appear to meet the criteria for designation and have completed 15 years of Agency service: [REDACTED] 25X1A9a

25X1A9a [REDACTED]

25X1A9a [REDACTED] I move we designate.
[REDACTED] cond.

. . . This motion was then passed . . .

25X1A9a [REDACTED] Under Item B we have 17 employees who have completed more than 5 years of Agency service and appear to meet the criteria for designation in the System.

25X1A9a [REDACTED] I move we designate.

MR. MELOON: Second.

. . . This motion was then passed . . .

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25X1A9a [REDACTED] The next case is [REDACTED] who has 25X1A9a
 applied for voluntary retirement under the CIA System. He will have
 20 years of service as of October 12, 1969, and he would like to retire
 31 October 1969.

25X1A9a [REDACTED] I move that we accept his request and pass
 favorably on it, and that in October he be retired.

25X1A9a [REDACTED] Second.

. . . This motion was then passed . . .

25X1A9a [REDACTED] Now we can proceed to the case of [REDACTED] 25X1A9a

25X1A9a [REDACTED] Let me just review for you what I have jotted down here --
 and I'm sure the rest of you have probably done the same homework.

25X1A9a [REDACTED] came to this Board for consideration with
 some domestic qualifying service -- this was before the Col. White memo
 25X1A9a of 31 July -- and [REDACTED] had quite a few months of overseas service. The
 pitch very clearly was that management considered this a mutually desirable
 25X1A9a thing to get [REDACTED] out, and [REDACTED] had promised to leave -- they had 25X1A9a
 a memo from him that he would retire by 1 July. So the Board - reaching
 quite a bit - gave him the domestic qualifying service with the understanding
 that he would leave on the 1st of July. We were still very trusting in those
 days and didn't require a signed [REDACTED] application for retirement to accompany
 25X1A9a these things. When the time came for [REDACTED] to sign his application he
 decided that 31 August was a better date for him, and rather than stir up a
 lot of things we accepted that date on his application. He is now asking
 for a further extension until 31 January strictly on the basis of the possibility
 of the Daniels bill going through. I'd like to point out that now he is in the
 CIA System and I think the chances are pretty remote that the CIA Retirement
 System will be covered by the provisions of the Daniels bill by 31 January.

Now, I did ask our legal adviser what would happen if
 25X1A9a [REDACTED] dug in, so to speak, and wanted to fight this, what is our position in

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in terms of enforcing a voluntary retirement. I think [REDACTED] 25X1A9a
seemed to feel that since he signed that application we can proceed with the
processing of it -- although ultimately if all else failed he would just be
separated-- but, hopefully, we won't get into that sort of a hassle.

[REDACTED] He signed his retirement application didn't he?

Yes.

You wouldn't separate him, you would just

retire him--

: Just process him.

But it is interesting, because we pursued this

in another case where the man said - "I would rather be involuntarily
separated than involuntarily retired." And I suppose you could give him that
option. Well, I'm really muddying the waters here -- but it is a fact that he
could say, "I'd rather involuntarily [REDACTED] resign and then have my credits
transferred to the other retirement system."

25X1A9a [REDACTED] He ran around like a [REDACTED] chicken with his head
cut off to try to gather all this legislative information -- and I don't know who
he talked to in your office, John--

25X1A9a [REDACTED]

25X1A9a [REDACTED] -- but I kept being amazed when he came back with
all his optimism about the Daniels bill.

25X1A9a [REDACTED] Well, his intelligence wasn't very good. It
was good when it was given to him but not when it got down to this memo.

25X1A9a [REDACTED] I'm afraid he might have hit [REDACTED] 25X1A9a
high point in our optimism about the Daniels bill going through--

25X1A9a [REDACTED] Still, that is one step removed from having it
apply to the CIA System -- and we were never optimistic that we could do

both --

25X1A9a [REDACTED] You wonder, really, if he zeroed in on the fact

25X1A9a that [REDACTED] was in the CIA System.

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25X1A9a [REDACTED] I told [REDACTED] there wasn't any piggy-back 25X1A9a
business on this, with the CIA System going in on the other--

25X1A9a [REDACTED] His reasons are inaccurate -- and he can't
have it both ways -- so there are two strikes before he even goes to bat.

25X1A9a [REDACTED] Count me against it, also.
Well, I assume we have a motion.

25X1A9a [REDACTED] talked this over with Drex Godfrey,
and as far as Drex is concerned there is no problem - because Drex
isn't going to be able to work in a replacement for him until late fall -- so
there's no stress or strain as far as Drex is concerned.

25X1A9a [REDACTED] I understand and I'm sure Drex is saying this
quite honestly, and I'm sure he is willing to do it -- and [REDACTED] is saying 25X1A9a
won't ask for another extension, but come 31 January and if it looked like
the Daniels bill and our bill might be passed by 31 March then you know very
well he would be coming right back here again to ask for another extension.
I think we're taking ourselves down the road here-- And another thing,
so far we have held the line and made no extensions based on just waiting for
the Daniels' bill to go through.

25X1A9a [REDACTED] Of course now that he's a member of the CIA
System he thinks he can retire whenever he wants to retire.

25X1A9a [REDACTED] Right -- but we have a memo from him saying
if he was brought into our System he would retire on the 1st of July. As far
as I'm concerned we have already given him a 60 day extension to 31 August.
And now he is asking for additional time.

MR. MELOON: Well, he wasn't brought under the System because
he was going to leave by the end of June. Wasn't the determination made that
his service was qualifying?

25X1A9a [REDACTED] It wasn't considered under Red White's memo.
This case was acted on before Red White's
memo came out, but almost in anticipation of that type of case. In other words,

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25X1A9a [REDACTED] came to the Board saying: Can you help us get this guy out -- he has 49 months -- and in anticipation of immediate retirement couldn't you see this domestic service as qualifying? So we found 11 months, I think, of domestic service qualifying - on the basis of his retiring by the 1st of July.

Well, George, do I sense that you feel we ought to give him the extension?

MR. MELOON: I'm on the fence, really.

25X1A9a [REDACTED] What about all the 30 June cases that we agreed to if they retired--

25X1A9a [REDACTED] But this man is not a 30 June case. If he were, I would feel there was no alternative--

MR. MELOON: If he was a 30 June case, I would agree with you--

25X1A9a [REDACTED] My thought is that it's the equivalent of a 30 June case in that we would never have put him in the System in the first place -- that that whole action was coupled to his memo saying he would retire by the 1st of July. Because it was only in contemplation of immediate retirement that we could even consider him under (11)(c). Now it's just a question of how far down the line this "imminent" retirement can be extended.

25X1A9a [REDACTED] The case went up to Red White and he approved it on 30 July 1968 -- which was after he had signed his June memo -- so you can't escape the fact that this was in contemplation-- My copy is marked: O.K. - LKW - 30 July 1968.

25X1A9a [REDACTED] Yes, I agree that it was not related to Col. White's memo, but by that time we had zeroed in on - okay, if these guys are ready to retire, fine -- and so he was brought in -- and even at that we gave him an additional period of time to prepare for his retirement, because even then it was supposed to be 1 July.

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25X1A9a [REDACTED] I remember [REDACTED] feeling in 25X1A9a

many of those cases was that if management really wanted to get rid of a man let's see what we can do to help management. Because we were all bound by that trying to get down to the ceiling of 1 July 1966, wasn't it?

25X1A9a [REDACTED] In his memo to [REDACTED] dated 27 25X1A9a

25X1A9a June 1968, [REDACTED] says: I plan to retire no later than 1 July 1969 if I am designated a participant in the CIARDS.

25X1A9a [REDACTED] To refer to the [REDACTED] case for a minute, 25X1A9a

we sat here and we said we can't possibly just bring this man into the System, because we have no indication his service is qualifying -- but his case was a

25X1A9a whole lot better case than this [REDACTED] case. The [REDACTED] case was 25X1A9a

considered by us only in that it was coupled with the intent to retire which he expressed in his memo. Now, how long can he stall on it? I mean, in

that sense I see it as sort of a modified 30 June case -- it was coupled with the promise to retire. And if [REDACTED] was here he would remember very 25X1A9a

well that his pitch was just what Mike said, that management really wanted to get rid of this man.

Murray, do you have there the endorsement from the

DD/I the first time?

25X1A9a [REDACTED] (Reading)

25X1A9a "From a managerial standpoint we see several advantages in terminating [REDACTED] service prior to the time when he will be eligible under the Civil Service System. His field of specialization, military intelligence, has undergone revolutionary changes in recent years and positions in his grade now require a very sophisticated level of expertise. Because of his two overseas tours [REDACTED] has found it 25X1A9a difficult to keep abreast of the rapid changes in his field, and his conventional military knowledge is obsolescent in terms of OCI's needs."

25X1A9a [REDACTED] Anyway, the whole pitch, without completely blackballing this man, was: "Please help us get rid of him." And I feel it was on that basis that he was brought into the CIA System.

25X1A9a [REDACTED] And he wanted retirement--
[REDACTED] Oh, he wanted it badly! Then when that

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31 August date came up he then made statements like he knew he couldn't work any longer because he had to get his wife out of this climate before Labor Day, say, and he had to get squared away in [REDACTED] because it was 25X1A6a too cold here and his wife couldn't go through another winter here. I remember it all very, very well!

25X1A9a [REDACTED] As a matter of fact, we took a chance, you might say, in accepting his 31 August date -- because really I guess we should have gone back up to the Director on that.

25X1A9a [REDACTED]: His extension to 31 August was approved by the Director [REDACTED] The 31 August date is what the Director approved. But the recommendation that went to Col.

White, was that conditioned on the 1 July--

25X1A9a [REDACTED] Yes, but there's no doubt in my mind that at that time Col. White would have bought 31 August.

25X1A9a [REDACTED] The paper that was finally signed by the Director - did he agree to the retirement date of 31 August?

25X1A9a [REDACTED] Yes, 31 August. But in going to the Director all we said was: Will you approve the voluntary retirement of

25X1A9a [REDACTED] on 31 August? -- and that is what the Director approved. The Director was not ruling on the domestic qualifying service, because that is done by this Board and then Col. White initials off on it.

25X1A9a [REDACTED] But isn't he doing that for the Director? Isn't all we do is recommend? And Col. White approves it for the Director?

25X1A9a [REDACTED] Yes, but domestic qualifying service comes under this Board's authority. Col. White just reviews every one of those quite informally -- there's no paperwork on that at all -- I just take him a fact sheet, brief him, and then he initials off.

. . . Off the record . . .

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25X1A9a

[REDACTED] If you're asking how would we write this up,

I think we would have to write it up that [REDACTED] appeal for designation 25X1A9a in the System was based on a period of domestic qualifying service primarily under (11)(c), which is contemplated only in view of imminent retirement, and at that time he indicated in an attached memo that he would retire on the 1st of July. Subsequently when he signed the retirement application he asked that he be extended two more months, to 31 August. We now have a signed application based on retirement 31 August. A further extension based entirely on the possibility that the Daniels Bill may bring advantages to him just didn't seem appropriate to the Board. Something of this sort. Of course, you all have the privilege of making a motion the other way.

25X1A9a

[REDACTED] So far we have not extended when the only reason given was to take advantage of the Daniels Bill, and we see no reason why we should extend for that reason.

25X1A9a

[REDACTED] I agree with you we could well say the Board feels that an extension to take advantage of the Daniels Bill is insufficient 25X1A9a reason for an extension -- and furthermore, that [REDACTED] is only in the System on the basis of domestic qualifying service which was approved by the Board on the basis of his imminent retirement - and I'll even leave the 1 July out and say on the 31st of August.

MR. MELOON: That's where we're a little inconsistent -- because we were trying to get him under the quota--

25X1A9a

[REDACTED] No, he was not under the quota.

[REDACTED] With the 1 July date he wouldn't have been under the quota.

MR. MELOON: We can't have our cake and eat it, too --

25X1A9a

[REDACTED] But he was not a 31 July case, George -- he was a domestic qualifying service case based on imminent retirement. And anyone can come in now and ask for that - even after 30 June - and say, "Hey, I'm ready to retire, now will you consider it?" Now, we will be

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tougher than we have been, but we will consider it under (11)(c) if the guy is ready to retire. If they're not ready to retire then we won't even consider it.

25X1A9a [REDACTED] Well, I still say it's pertinent, from looking at the case, and it's a factor that the man made an agreement, we acted on it in good faith, and then he didn't follow through -- he violated his own agreement.

25X1A9a [REDACTED] Because if we just wrote it up that here is a man who was a voluntary retiree under the CIA System, who has now asked for an extension based on passage of the Daniels Bill, and we don't approve his extension, then the first reaction of the Director could be - "Well, if the guy himself volunteered to retire, why can't he change his mind?" So I think it's pertinent that it's not a voluntary retirement.

25X1A9a [REDACTED] I think you are right, Mr. Chairman, and I think you're right for this reason: I think we have a right to look back at the facts before we decided to give him the qualifying duty. Because he is still sticking by that and saying: I recognize all of that action that took place when you put me in the System -- all I'm asking is an extension for five months.

25X1A9a . . . [REDACTED] was called from the room to take a telephone call . . .

MR. MELOON: I don't see what harm it would do to give him the five months.

25X1A9a [REDACTED] Because five months is not going to solve the problem. It's the premise that is wrong.

MR. MELOON: But you don't know that.

25X1A9a [REDACTED] Well, we just don't agree here.

MR. MELOON: Then why don't we take a vote on it? We've spent a lot of time on it. But if his office can tolerate him for five more months, and keep him busy, I don't see what difference it makes.

25X1A9a [REDACTED] But, George, it's a very important precedent.

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MR. MELOON: I don't think it is -- because it's not a 30 June case. That is where I make my distinction.

25X1A9a



But it's a Daniels Bill precedent.

George, this is probably where we disagree -- I think you are making a very fine distinction between two classes of people -- this man and the 30 June cases, both of whom were brought into the System on the basis of a statement that they promised to retire -- and this man is reneging on his promise.

MR. MELOON: Well, Harry, I think I could probably dig up quite a few people that changed their minds -- and as far as I'm concerned if they haven't passed their 60th birthday, I see no reason why they can't change their mind -- unless the office concerned says that they don't want the man.

25X1A9a



George, if we hadn't brought him into the CIA System he wouldn't have any such option now -- he would be facing four more years of service.

Well, while we're waiting for Mike to come back I'll

25X1A9a just mention that Col. White called me on the [REDACTED] case. Because in

25X1A9a addition to the papers on the [REDACTED] case I wrote a little note on it saying:

25X1A9a I know this sounds like a pretty heartless decision -- [REDACTED] was the man in the wheelchair -- and then I went into the case. Col. White said at first he disagreed with the Board but then finally decided to go along with the Board. And then he said - "But I missed the Director, who is now gone, so I had to take it to ^{Genl.} ~~Vern~~ Cushman -- so we now have another compassionate interest here, and he is saying: Can you get me anymore information about this man's financial status and why is he so hard up for this dental work and this ramp?" Can you get that from [REDACTED] Bob?

25X1A9a

25X1A9a



Oh yes.

^{Genl.}
Because ~~Vern~~ Cushman is asking for this --

and he is a little sympathetic toward the Board's decision - that is, he understands that this man has been this way for a long time, and therefore it

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looks like a pretty late decision in May to appeal a June retirement based on a need for a ramp which he has needed all his life, and the dental work--

25X1A9a

[REDACTED] We went through all of this--

[REDACTED] And I went through it with him -- but now we have a new ball game here, because ^{Genl.} ~~Genl.~~ Cushman is saying: What makes it such a financial burden on him? Cushman is asking for a more detailed explanation of why this is such a hardship for this man.

25X1A9a

[REDACTED] When do you want this?

[REDACTED] The soonest. There's not much time --

25X1A9a because [REDACTED] is talking about a 30 June extension.

25X1A9a

. . . [REDACTED] returned to the meeting
at this point . . .

25X1A9a

[REDACTED] Do I have a motion on [REDACTED]?

25X1A9a

MR. MELOON: Just to get things started, I'll make a

25X1A9a motion that [REDACTED] be extended for the five months.

25X1A9a

[REDACTED] Do we have a second on that? (No response.)

MR. MELOON: I'll withdraw my motion if somebody else wants to make another motion.

25X1A9a

[REDACTED] Somebody else will have to -- because there was no second on your motion.

Would anyone care to make another motion?

25X1A9a

[REDACTED] I'll move that [REDACTED] not be extended.

25X1A9a

[REDACTED] I'll second that motion.

[REDACTED] Will those in favor of this motion please signify by raising their hands? [REDACTED] indicated they voted in favor of this motion.)

25X1A9a

The motion is carried.

Next case, John J. Crowley.

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25X1A9a

[REDACTED] That is settled - a fortiori.

[REDACTED] Yes. The Board approves the extension

of John J. Crowley.

25X1A9a meeting.

[REDACTED] I'm going to have to leave to go to another

[REDACTED] Can I jump, then, to case No. 8 -- one of the

25X1A9a 30 June cases that we just have to wrap up today -- [REDACTED] --

domestic qualifying service, and a 30 June retirement if you see it.

25X1A9a

[REDACTED] I have a "yes" here on my notes.

[REDACTED] Yes. First of all, he has 18 months overseas

25X1A6a service, and the 10 months that he spent up in [REDACTED] handling these funds and so on for OPC look pretty good. And then if we accept the statement in which the Director of Security has tried to address himself to the Board's question to Bannerman, and that is - Okay, I added it all up to 132 months in this special investigative business of ringing dangerous doorbells, and investigating under commercial cover, and one-third of that total time was definitely in support of clandestine operations -- which comes out to 44 months. So if you accept that -- and with a 30 June retirement -- I don't have much trouble with it.

25X1A9a

[REDACTED] We can pick up 17 months and we can look at

it under (b)(11)(c) -- and I think so much of the work he describes here he cannot describe in sufficient detail to a prospective employer -- and I could go along with it.

25X1A9a

[REDACTED] Have the rest of you had a chance to read this--

[REDACTED] Yes, I read it, but I don't go along with this,

myself.

25X1A9a

[REDACTED] Mind you, this is definitely one of the 30 June

cases -- and we are stretching -- although this is very clearly the type of case that Bannerman made a pitch for--

25X1A9a

[REDACTED] Well, [REDACTED] hasn't attended these 25X1A9a

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meetings regularly, but there's been a strong effort to qualify these people
irregardless of the liberalized standards. So I don't see where you have
any trouble here at all.

25X1A9a

[REDACTED] I read this all through, and I said okay.

[REDACTED] Do I have a motion?

I so move -- that [REDACTED] b25X1A9a

designated as a participant in the CIA Retirement System and retire
30 June 1969.

25X1A9a

[REDACTED] Second.

. . . This motion was then passed . . .

25X1A9a

[REDACTED] No. 9 on the agenda --

another of the 30 June cases, which I'm taking first because [REDACTED] 5X1A9a
has to leave. This is a domestic qualifying service case, and she wants to
retire 30 June 1969, and she has had 36 months of overseas qualifying service.
She's had what looks like pretty good service to me under a proprietary
cover with non-witting employees, etc.

25X1A9a

[REDACTED] Yes, for almost 11 years.

[REDACTED] Right. This one didn't bother me.

[REDACTED] I'll make the motion that she be designated as

a participant in the CIARDS and retire 30 June 1969.

25X1A9a

[REDACTED] Second.

. . . This motion was then passed . . .

25X1A9a

[REDACTED] Next case, [REDACTED] This 25X1A9a

man is 59 years old, with 30 years of Federal service.

25X1A9a

[REDACTED] I'd vote "no" on this one. I'll have to

leave.

25X1A9a

. . . [REDACTED] withdrew from the meeting at this point . . .

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25X1A9a [REDACTED] Well, do I have a motion on [REDACTED] 25X1A9a

I have a negative motion to make - that

25X1A9a [REDACTED] NOT be designated as a participant in the CIARDS.

25X1A9a [REDACTED] Second.

[REDACTED] and [REDACTED] was also against it. So 25X1A9a

it's turned down.

Now we're back to Item 4, [REDACTED] an 25X1A9a

extension under the CIARDS for 15 months. Let me just read the notes I have here. I believe this would be an unfortunate precedent to extend mandatory retirement under the CIARDS for other than a good operational reason or a very strong compassionate reason. I also bring to your attention that when the April 1967 letter was sent to him he was under the Civil Service System, and subsequently, in June of 1968, when he must have recognized that he faced mandatory retirement, we brought him into the CIARDS under domestic qualifying service. Now at this late date he is asking to be extended under the CIA System. Now of course Mr. Meloon can speak to this, but I notice Mr. Bannerman was on the fence a bit - saying, "... and since there are no operational reasons supporting this extension request, I do not feel I can concur."

25X1A9a [REDACTED] Do we know what his Social Security would

amount to? It was here somewhere that he had 5 years' coverage.

25X1A9a [REDACTED] He wouldn't be entitled to it until age 65.
[REDACTED] e could take a reduced amount at 62.

Is there any evidence that he worked with

Outplacement at all?

25X1A9a [REDACTED] The memo for the record dated 7 April 1969

is the only thing -- which says he was given fairly detailed information on life insurance and so on. But at least as of April 7th he had not seen EAB.

25X1A9a [REDACTED] George, do you think that a year ago when he asked to get into the CIA System based on domestic qualifying service he did it

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hoping he could extend under this System?

MR. MELOON: No, I don't think that his hope of extension under this System was any different from his hope of extension under the Civil Service System.

25X1A9a [REDACTED] Didn't he think about the fact that it might be tougher under the CIA mandatory than the Civil Service? The fact is we have been much more liberal under Civil Service Retirement than we have under the CIA System, figuring anyone getting into our System knows what he is facing, whereas they have hard luck stories that are hard to refuse under Civil Service.

MR. MELOON: I don't think the average person knows that there is that distinction, Harry.

25X1A9a [REDACTED] I guess they will all get to know it in time.
Well, I'm sure there are some who don't, but I would think that most people realize that under the CIA System age 60 means mandatory retirement.

25X1A9a [REDACTED] You say, George, that his liabilities, fixed and estimated, are approximately \$29,000.00--

MR. MELOON: That was taken from his paper.

25X1A9a [REDACTED] My figures didn't add up that way.
I have another balance sheet here that I didn't reproduce for this meeting.

25X1A9a [REDACTED] is honest enough here -- he says when

25X1A6a he took the job down at [REDACTED] he realized he might have only two years and five months to go.

25X1A9a [REDACTED] These are the items he listed as liabilities:
a loan - \$14,000; auto replacement (2 cars) - \$5,000; house repair - \$1,000;
tuition - \$4,000; taxes - \$1,000; food - \$2,000; insurance - \$500;
utilities - \$700; and miscellaneous - \$800. Total: \$29,000.00.

25X1A9a [REDACTED] But that's not a balance sheet.
No, it isn't.

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. . . Off the record . . .

25X1A9a [REDACTED] When I was going through the papers here my thought was that in June of 1968 this fellow figured if he could get into the CIA System under domestic qualifying service, he would get an extra three and three-quarters per cent -- Which he did. Although, if George is right and people really don't understand the difference between the two retirement systems, then this man might have said - "Well, I'll stay in the Civil Service System and put my money on getting an extension." When would he have retired under Civil Service?

[REDACTED] May, 1970.

25X1A9a [REDACTED] And how much time did we give him?

[REDACTED] He has 36 months and eight days of overseas -- so we gave him 24 months.

25X1A9a [REDACTED] It was in [REDACTED] 25X1A6a

[REDACTED] Yes, it was good service, and the designation was coming to him, there's no question about that. But he did elect just a year ago to get into this System, it seems to me, knowing he was facing a mandatory retirement -- as against the Civil Service, where more than 50% of the extension requests have been approved.

MR. MELOON: Again, Harry, I don't think the average employee of this Agency has any idea that there is any distinction between them.

25X1A9a [REDACTED] Then we must talk to different people, George, because I thought more people know about the distinction than don't know about it -- because, first of all, a lot of people are getting out at 61 and 62--

MR. MELOON: Oh I'm sure they know all about THOSE cases -- because they see them roaming around the halls.

25X1A9a [REDACTED] In his memo of 2 February 1968 he talked

25X1A6a about being reassigned to [REDACTED] and he said: On 31 December 1967 a

25X1A6a PCS action was processed whereby I was transferred to [REDACTED] As it

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appears there is only a remote possibility of my being afforded a qualifying field assignment before my retirement, this request is respectfully submitted for consideration." So he knew about the [REDACTED] thing then. 25X1A6a

25X1A9a [REDACTED] Yes, and he admits here in his memo that he was facing two years. Of course he does have the advantage now that we will ship his household affects wherever he wants them shipped from [REDACTED] X1A6a because he is in the CIA System.

Would anyone care to make a motion?

25X1A9a [REDACTED] I make a motion that we not extend him.
[REDACTED] Is there a second for that motion?

[REDACTED] He's got a \$35,000 house free and clear; he has \$5600 in stocks; he has \$2,000 in the bank; and his annuity is \$7900. I don't find this a very strong hardship case.

25X1A9a [REDACTED] Even the DD/S makes it pretty clear he can't concur on operational necessity.

25X1A9a [REDACTED] And he has 11 more months to go before he is supposed to retire. If he had asked for only three or four months, I wouldn't have hesitated.

25X1A9a [REDACTED] I just don't find hardship here. I'm afraid if we canvassed everybody that was scheduled to retire at age 60 under the CIARDS we would find many who aren't in as good financial condition as this man is -- we would be opening the door to almost everybody who said they needed a little more money.

25X1A9a [REDACTED] I'll second the motion that was made by

25X1A9a [REDACTED]

. . . This motion was then passed . . .

MR. MELOON: You were talking about [REDACTED] financial 25X1A9a condition -- and I'm not pleading [REDACTED] case in any way, shape or manner, 25X1A9a but the way I look at it, I'm the head of the Career Service and I have to

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present the case to the Board, and Bannerman asks me to make the flat statement - do I recommend for or against. And I asked the people he's working for, and they said yes, he's doing a fine job -- and I took into consideration my ceiling -- and, to be perfectly honest with the Board, I'm pleased to see the action you have taken here. But I have to represent the guy -- and that's it. As far as the financial situation here, I recall a case that we acted on a little while ago of a woman getting \$13 or \$14 thousand a year, and we processed it as a compassionate case. I think it's very difficult for any of us to sit here and pass on whether it's compassion or not, as far as a guy's financial situation is concerned, because each and every one of us are in different circumstances -- and I wouldn't want this Board voting on mine, and I wouldn't want to vote on yours, either! But I'm pleased the Board has taken this action. It doesn't bother me in any way, shape or manner.

25X1A9a

[REDACTED] I couldn't find just how much Social Security

25X1A9a [REDACTED] would have -- but, obviously, it's fairly close to the minimum - so he could go to work for another two or three years and build that up.

25X1A9a

[REDACTED] Yes, he has at least \$55.00 coming to him --

and the chances are that that will be increased statutorily.

25X1A9a

[REDACTED] It looks like he had from 1937 to 1942

with Consolidated Edison for his Social Security coverage.

25X1A9a

[REDACTED] That's five years. Again, we may be

25X1A9a doing [REDACTED] a favor here.

25X1A9a

[REDACTED] Next case, [REDACTED] -- extension 25X1A9a

under Civil Service for one year - to November 30, 1970. He's an [REDACTED] STATSPEC type - a linguist with six languages. It seems to be both compassion and operational need, as it's presented here.

25X1A9a

[REDACTED] This is a second extension.

[REDACTED] It takes him from age 63 to 64.

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25X1A9a [REDACTED] Well, I think [REDACTED] of course, knowing 25X1A9a operations here pretty well, is putting this on the basis of needs of the service because linguists like this are very difficult to get - and particularly a guy who could cover so many languages. And this fellow wants to stay on. So Paul is delighted to support it from an operational point of view, NOT hardship.

25X1A9a [REDACTED] It's almost quite the contrary - he almost dismisses the compassion plea.

25X1A9a [REDACTED] When these linguists leave it always creates a problem.

MR. MELOON: Then what steps, if any, have they taken to replace this man?

25X1A9a [REDACTED] Any time we can get linguists, we take them -- and they're under ceiling right now -- but the new ones don't have the background that the older ones do - it's just as simple as that.

25X1A9a [REDACTED] I remember [REDACTED] making a strong 25X1A9a plea for people with language qualifications, and how difficult it was to get

25X1A9a even French -- and I think [REDACTED] could have made a stronger case on finding qualified translators -- but, considering [REDACTED] statement, I 25X1A9a proceeded from there, and I'm for an extension in this case because of that. But I do think that a man with his language qualifications ought to be working right now with Outplacement to see if he can't do better when he retires -- because if his retirement was \$5900 a year he would only have to make about five or six thousand to have more take home pay. I'm for an extension and I propose to vote for it, but I would suggest very strongly that they get to him and tell him to try to look for something on the outside, because his take home pay is going to have to be more, it seems to me.

25X1A9a [REDACTED] This is what I got from RCB: [REDACTED] 25X1A9a had no contact either with EAB or RCB during the past two years. And EAB said: We believe there are many job opportunities in the translation

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field in the Washington area for which he could qualify. That's all.

25X1A9a [REDACTED] Of course, when you want to keep these fellows

on, you don't encourage them to go down to EAB. But it is a good point.

25X1A9a [REDACTED] This fellow is going to have to continue to
work, it seems to me.

25X1A9a [REDACTED] If we are about to vote on this -- with Mike

25X1A9a being for it - and I assume you are, [REDACTED] -- I think really we
ought to say that we would take a dim view of any further request for
extension, and that we urge the office to be looking for a replacement for this
man.

Well, I think I have a motion -- and I think we have the
flavor for writing this up - that it is really on an operational need basis,
that we feel the man would have no problem finding outside employment, and
that the office should be advised to seek a replacement for this man so that
a further extension will not be necessary.

25X1A9a [REDACTED] And suggest that he work with EAB at the
appropriate time -- I'll include that in the memo to the man.

25X1A9a [REDACTED] The next case is [REDACTED] --25X1A9a
request for extension under Civil Service for two years, to age 62. She's
a GS-5 -- keeping in mind the clerical shortage -- she's an excellent worker --
her husband is an invalid -- and at the end of the extension she would become
entitled to Social Security. Her annuity right now would be only \$2,684.00.

I really don't have much trouble with this one. Do I have a motion?

25X1A9a [REDACTED] I move that the extension be granted.
[REDACTED] Second.

. . . This motion was then passed . . .

25X1A9a

[REDACTED] Now I think I mentioned to all of you that

25X1A9a the [REDACTED] case came in-- As you know, we were about ready to come

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25X1A9a down hard on [REDACTED] application for retirement. This is the one where the extension was turned down, and the Director agreed this was his last extension. And there was no retirement application forthcoming, and

25X1A [REDACTED] and I had given him until 1 June, I guess it was, at which time we were to be about ready to call him down here on consultation to get ready to hand him the appropriate papers for his separation. In the meantime DD/I came in with a pitch that the Photographic Procurement people in [REDACTED] 25X1A6a were running out of people to do this job, that [REDACTED] 25X1A9a was particularly qualified to do it, and they would like to transfer him from DCS to CRS cognizance for a six month tour to give them time to staff the thing. I didn't even think it was fair to bring this to the Board, so I took it up directly with Col. White and told him the Board had expressed itself pretty strongly on this -- and, I said, "I think we will spin a lot of wheels and take a lot of time, and I think this is sort of between you and Jack Smith and the Director." And he agreed there was no sense in the Board worrying about this. And he subsequently called me up and said the Director had approved it, but very reluctantly.

. . . Off the record . . .

25X1A9a [REDACTED] Now what we have here is an appeal by

25X1A9a [REDACTED] In going back to him we said: Your request for being brought into the CIA System has been turned down by the Board - and this was concurred in by the Director, etc. -- you have the right to appeal, if you desire, and such appeal must be in the Director's office within 30 days -- within 30 days of the date of that letter - which was dated May 16th. Well, he waited until 6 June -- apparently it was delayed along the way -- and I'll just read this letter from him dated 6 June.

25X1A9a . . . [REDACTED] then read referenced letter to the Board members. Copy of this letter is attached to this transcript . . .

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Murray
Don't forget
to [redacted] copy of
letter to
transcript
Thanks much.
Ann

25X1A9a

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25X1A9a [REDACTED] I made a few notes here. I believe we must clearly make the point that he does not have 60 months of overseas qualifying service, and in considering whether his domestic service was qualifying -- which is the only other way he would get into the System -- it was at best marginal, and would not be approved unless it also led to early retirement --

25X1A9a the whole point of the 31 July letter -- and [REDACTED] already two years past mandatory retirement age for CIA, and in any event due to retire in June of 1969. So we had little reason to approve his domestic service to bring him into the System at the age of 62. The whole case is kind of an unfortunate one. But there's really no need to come back to the Board. The next thing, really, is the rationale--

25X1A9a [REDACTED] This is the only service we have verified all along, right from the beginning -- just what he mentioned in this letter -- and it comes out to 57 months and 22 days. We have considered his TDY all along. He says we didn't -- but we really did.

MR. MELOON: And he has 57 months.

25X1A9a [REDACTED] George, the reason I say it's sort of an unfortunate case is because it's a question of timing with him. If he was just becoming age 60 and he had come in for domestic qualifying service -- and to retire one month before he became age 60, even -- and looking for two months' domestic qualifying service, I think we would have given it to him to get him out -- the sooner he was asking for it before his mandatory retirement age, the better. But here it's just hard to accept that he didn't choose the age 62 retirement and then get to the very end of the line and then again ask that his case be reconsidered. But the fact is that the Board's decision was based on the fact that he had had two more years of service, and now to bring him in under domestic qualifying service was a little more than could be expected.

25X1A9a [REDACTED] And Col. White agreed with the Board. [REDACTED] es, Col. White concurred in this. Now I

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guess we don't have to come back to the Board again, because the Board has already spoken its piece.

25X1A9a [REDACTED] Shouldn't his appeal have been addressed to the Director, really? He addressed it to the D/Pers, but the memo going to him says it should be addressed to the Director.

25X1A9a [REDACTED] No, it's a memo to the DCI through the D/Pers.

25X1A I guess the next step, [REDACTED] is for you to write a covering memo passing this up to the Director.

25X1A9a [REDACTED] From the D/Pers. [REDACTED] es, and which would give a bit of this rationale

I've tried to explain here, wouldn't you say, John?

25X1A9a [REDACTED] Yes -- and I was going to check the Regulation--

25X1A9a [REDACTED] My only thought is, is the Board still strong in feeling that it did the right thing?

25X1A9a [REDACTED] He actually turned 62 in May, but because of an administrative error we gave him an extra month.

MR. MELOON: Do you have a signed retirement application from him?

25X1A9a [REDACTED] No, I couldn't go after that until we told him he couldn't be in the System -- and as soon as that came back I heard he was going to submit an appeal, so I couldn't get it then.

25X1A9a [REDACTED] Does he reach 62 in June?
[REDACTED] No, in May.

MR. MELOON: He could ask to stay until he's 70 now.

25X1A9a [REDACTED] Harry, there are really two steps here. When the Board recommended to D/Pers that he not be admitted, what notification was sent to the man himself?

25X1A9a [REDACTED] That the Board had considered his case, recommended that it not be approved -- and the D/Pers concurred in the

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Board's recommendation and hereby advised him that he had made a determination that he was not eligible for participation in the System, and gave him the reasons.

25X1A9a [REDACTED] We gave him the reasons -- which sort of antagonized him.

25X1A9a [REDACTED] Did you tell him he had an opportunity to be heard by the Retirement Board?

25X1A9a [REDACTED] No.
That is what the Regulation requires.
You run out of time on these things.
That is the right of an employee who is under the CIA System?

MR. MELOON: But he's not under the CIA System.

25X1A9a [REDACTED] This man is Civil Service.
Yes, I understand.
I don't think we ever dealt with-- Well, I guess it's an adverse action -- in other words, this is domestic qualifying service that we didn't see, and therefore it's an adverse action.

25X1A9a [REDACTED]: The Regulation says, "Prior to recommending an adverse determination or any other finding which adversely affects the entitlements of an employee under the System ..."

25X1A9a [REDACTED] But there really wasn't any domestic service--

25X1A9a [REDACTED] But he thinks there is -- or he thinks he has good service. John, what are you reading there?

25X1A9a [REDACTED] Page 118.3 of the Regulation -- at the top of the page - (3) OPPORTUNITY TO BE HEARD BY RETIREMENT BOARD.

25X1A9a [REDACTED] Then every one of those cases that we turned down went the wrong way -- every employee that was turned down for the System, then, really was an adverse action.

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25X1A9a

[REDACTED] Yes.

And no matter on what point they're turned down? -- even if they're turned down on a redlining from the Career Service it's an adverse action?

25X1A9a

[REDACTED] Do we mean as far as an employee under the CIA System--

25X1A9a

[REDACTED] It says, "...the entitlements of an employee under the System ..."

25X1A9a

[REDACTED] Again, it's intended to be that he could appeal a determination denying him participation. In each of these, just as in our other appeal procedures, we have two bites at the apple - one at the Board level and one at the D/Pers level - just as we have in our other appeal procedures. In fact, this was designed along the lines of our regular appeal procedures. *not so*

25X1A9a

[REDACTED] Of course under involuntary retirement we have been doing that.

25X1A9a

[REDACTED] When was he scheduled for retirement?
30 June?

MR. MELOON: I think John's point is borne out, because under paragraph (4), Appeals, it says, "an employee, participant, or annuitant" -- so an employee is not the same as participant, and this guy, who is not a participant yet, is an "employee" and has a right to appeal.

25X1A9a

[REDACTED] Shouldn't any person who requests an extension under the CIA System be given the right to appear before the Board before we go to the Director?

25X1A9a

[REDACTED] It seems to me it's what the Regulation says. Then we've done some wrong things here, if that is true.

25X1A9a

[REDACTED] However, in this case there has already been a determination by the Director, so maybe you should skip down to paragraph (4) at this point.

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25X1A9a [REDACTED] Well, if you don't follow your own Regulation on a termination case -- which this is -- you're in trouble - as you well know, Harry.

25X1A9a [REDACTED] Would that apply to extensions, then?
[REDACTED] If we are going to try to involuntarily terminate him, yes. Actually, if he doesn't go on his own, then you go to your involuntary procedure, and then you do follow these steps.

25X1A9a [REDACTED] Yes, as a separate thing.
[REDACTED] So I don't know that every failure to extend , as such-- Because then you would have to move into an involuntary situation.

25X1A9a [REDACTED] What I'm really shocked about, John, is the fact that everywhere we've said "no" we should have gone back and said - "You now can appeal to the Board" --

25X1A9a [REDACTED] No, I don't think on every decision where we said "no" -- that's too broad a statement. Let's look at this one case at a time.

25X1A9a [REDACTED] (Reading) "(3) OPPORTUNITY TO BE HEARD BY RETIREMENT BOARD. Prior to recommending an adverse determination or any other finding which adversely affects the entitlements of an employee under the System, the CIA Retirement Board will notify the employee of its tentative conclusion and of his right to submit any pertinent information to the Board within a specified period of time before making a final recommendation to the Director of Personnel. The employee concerned shall have a reasonable period of time in which to submit such information to the Board. The time allowed will normally be not less than five nor more than thirty calendar days but shall depend in any case on the circumstances of the case and the location of the individual. Such information may be presented orally or in writing at the discretion of the Board. The Board, in presenting its recommendation to the Director of Personnel on any case, shall include a report of any information which the employee has submitted."

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Now, I'm hoping, John, you can see some way out of this -- but that means that whether he has asked for an extension, whether he has asked for domestic qualifying service -- or even when he's redlined-- Of course, the redlining the Board doesn't really do--

[REDACTED] No, but the D/Pers does.

25X1A9a

[REDACTED] When the D/Pers advises the man he has been redlined doesn't he tell him he can appeal--

25X1A9a

[REDACTED] He's told if he finds any errors he can consult with his Career Service, and that the redlining does not preclude further consideration of his case.

25X1A9a

[REDACTED] Well, the redlining is not quite as critical, in that sense, because it isn't a Board action at all. I'm thinking of just Board actions. The Board gets the extensions and the domestic qualifying service cases -- and from this Regulation it seems that if we say "no" we have to tell them they can appeal to this Board. The thing that is so insidious is that there are so many of them that come in at the last minute, and the man builds in almost a 60 day extension when he starts getting time to appeal to the Board and then time to appeal to the Director.

John, is there anything we can do to enforce this business of their submitting their requests for extension in plenty of time--

25X1A9a

[REDACTED] I'm not sure I'm concerned about the routine extension cases under the CIA System -- because it's all set out what is going to happen to them, so that's not an adverse action--

25X1A9a

[REDACTED] It's denial of a special privilege, really.
[REDACTED] I don't think ^{it was} ~~it was~~ originally contemplated in the Regulation that extensions would have to come through this Board -- but when the two Retirement Boards were combined it just seemed reasonable, because that was one of the main functions of the other Board.

25X1A9a

[REDACTED] Well, even if we limit ourselves to domestic qualifying service cases, we've had an awful lot of cases that didn't get their day in court.

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25X1A9a [REDACTED] Well, if you read on, Harry -- the bottom of that page -- d.(2)(b) - "The Director of Personnel shall normally obtain the advice of the Board before making determinations as to the eligibility of employees to participate in the System or acting upon applications for disability or voluntary retirement or recommendations for involuntary retirement. He may also refer to the Board any other matter pertaining to the administration of the System."

25X1A9a [REDACTED] Your point being that nowhere does it spell out that we even handle extension cases. I like the other part of it - that the denial of extension is not an adverse action.

25X1A9a [REDACTED] I don't really think it is, within the meaning of this--

25X1A [REDACTED] says: "The CIA Retirement

25X1A Board, in addition to its responsibilities stated in [REDACTED] shall advise and assist the Director of Personnel in: (1) Ensuring uniform application of the retirement policy stated above, and (2) Determining appropriate action on requests for exceptions in individual cases based either on the Agency's need to retain an employee or on unusual and compelling personal circumstances."

25X1A9a [REDACTED] But, again, this Regulation was constructed without regard to the Civil Service cases. This was something that was put in later.

25X1A9a [REDACTED] You kind of wrote this with involuntary retirement in mind, really -- and there you want to be real precise. And yet we would really like to say if we are going to have to have a starting point, let's not have it start with this particular case.

25X1A9a [REDACTED] I know.

First of all, let me suggest that we not keep the members of the Board here -- unless they want to stay. Let's you and I look at the paperwork that you have here, and let's try to figure out what we can do in this particular case.

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25X1A9a [REDACTED] Yes, we have really completed the business
before the Board today.

. . . The Board continued in an off-the-record
discussion and adjourned at approximately 4:00 p.m. . . .

25X1A9a

After discussion [REDACTED] decided that Regulation
should be rewritten so that extension and judgemental
decisions re domestic qualifying service should not be
considered as adverse determinations.

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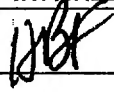

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